

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JIMMIE RANDOLPH,

Petitioner,

v.

Case No. 06-CV-11201

KENNETH ROMANOWSKI,

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR ORAL ARGUMENT

This matter is before the court on Petitioner Jimmie Randolph's motion for oral argument. Petitioner has submitted his habeas petition and Respondent Kenneth Romanowski has filed an answer to the petition. The court has discretion to conduct an evidentiary hearing after the filing of the answer and Rule 5 materials. See 28 U.S.C. foll. § 2254, Rule 8. Upon initial review of those materials, the court concludes that oral argument is unwarranted. Accordingly,

IT IS ORDERED that "Petitioner's Motion for Oral Argument" [Dkt. # 29] is DENIED. The court will bear in mind Petitioner's request if, upon further review of the pleadings, the court determines that oral argument is necessary. Petitioner need not file an additional motion concerning this issue.

s/Robert H. Cleland

ROBERT H. CLELAND

UNITED STATES DISTRICT JUDGE

Dated: September 5, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 5, 2007, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522